

Attorney Docket No.: 019 J03210US
Client Ref. No.:

PTO SB 01A (10-00)

Approved for use through 10/31/2002 OMB 0651-0032

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventors, we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/061,944 filed on February 1, 2002
☐ as amended on _____ (if applicable);

We believe that I/we am/are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 Thomas J. Schall Date: 6/06/02

Signature:  Citizen of: United States

Inventor 2 Mark E.T. Penfold Date: 5/21/02

Signature:  Citizen of: Australia

Inventor 3 _____ Date: _____

Signature: _____ Citizen of: _____

Inventor 4 _____ Date: _____


Signature: _____ Citizen of: _____

☐ Additional inventors are being named on form(s) attached hereto

This form is to be filled out by the inventor(s) and filed with the application. It is not to be filled out by the attorney or agent. It is to be filled out by the inventor(s) and filed with the application. It is not to be filled out by the attorney or agent. It is to be filled out by the inventor(s) and filed with the application. It is not to be filled out by the attorney or agent.

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	10/061,944
	Filing Date	February 1, 2002
	First Named Inventor	Schall, Thomas J.
	Title	CHEMOMAGNETIC RETRIEVAL OF CMV AND CMV INFECTED CELLS
	Group Art Unit	1646
	Examiner Name	
	Attorney Docket Number	019934-003210US

I hereby appoint:

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20350

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☐ Practitioner(s) named below:

Name	Registration Number

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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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OR

☐ Practitioners at Customer Number

☐ Firm or
Individual Name

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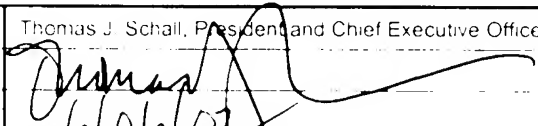
I am the

☐ Applicant Inventor

☒ Assignee of record of the entire interest. (See 37 CFR 3.71)

(Statement under 37 CFR 3.73 b is enclosed. Form PTO/SB 010)

SIGNATURE of Applicant or Assignee of Record

Name Thomas J. Schall, President and Chief Executive Officer
Signature 
Date 6/10/02

NOTE: Signatures of all the inventors or assignees of the entire interest or their representatives are required. Signatures of more than one signature is required. See below.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee
Application or Patent No.
Filing Date
Title

ChemoCentrx, Inc.
10 061 944
February 1, 2002
Chemomagnetic Retrieval of CMV and CMV-Infected Cells

I hereby declare that I am:

- ☐ the owner of the small business concern identified below
☐ an official of the small business concern empowered to act on behalf of the concern identified below

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Name of Small Business Concern
Address of Small Business Concern

ChemoCentrx, Inc.
1539 Industrial Road
San Carlos, CA 94070

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(f), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Chemomagnetic Retrieval of CMV and CMV-Infected Cells by inventor(s) Thomas J. Schall, Mark F. L. Penfold described in:

- ☐ the specification filed herewith,
☒ Application No. 10 061 944, filed February 1, 2002,
☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Name:
Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name:
Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to payment of a fee or time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(a)).

I solemnly declare that all statements made herein of my own knowledge are true and that all statements made on my behalf and in my name are true and that these statements were made with the knowledge that willful false statements and the like are punishable by law. I am not aware of any person making a false statement or of any person making a statement which is not true.

Signature of Person Signing
Signature of Person or Other than Owner
Address of Person Signing

Thomas J. Schall
President and Chief Executive Officer
1539 Industrial Road
San Carlos, CA 94070



STATEMENT UNDER 37 CFR 3.73(b)

Applicant Patent Owner: Thomas J. Schall, et al

Application No./Patent No.: 10:061,944 Filed/Issue Date February 2, 2002

Entitled Chemomagnetic Retrieval of CMV and CMV Infected Cells

ChemoCentryx, Inc, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

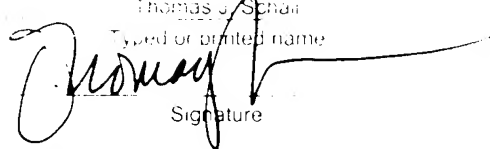
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee

Date: _____

Thomas J. Schall
Typed or printed name

Signature
President and Chief Executive Officer
Title

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ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Thomas J. Schall of 2050 Mill Avenue, Menlo Park, CA 94025; Mark E.T. Penfold, of 822 Calderon Avenue, Mountain View, CA 94041; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Chemomagnetic Retrieval of CMV and CMV Infected Cells

Date(s) of execution of Declaration:

Filing Date: February 1, 2002

Application No.: 10,061,944; and

WHEREAS, ChemoCentryx, Inc., a corporation of the state of Delaware, located at 1539 Industrial Road, San Carlos, CA, 94070, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated

6/06/02

Thomas J. Schall

Dated

5/21/02

Mark E.T. Penfold